

REMARKS

Claims 22, 23, 27, 28, 37, 41 and 43-53 are pending in this application. By this Amendment, claims 22, 27, 37, 45, 46, 48, 50, 52 and 53 are amended. Support for the amendments to these claims may be found in Figs. 3 and 19, for example. No new matter is added. Claims 36 and 42 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. A Request for Continued Examination is attached. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Applicant appreciates the courtesies extended to Applicant's representative by Examiner Henkel during the personal interview held on November 10, 2009. The reasons presented during the personal interview as warranting favorable action are incorporated into the following remarks, which constitute Applicant's written record of the interview. Applicant adds additional amendments to claims 22 and 27 in view of the Examiner's proposals made during the personal interview.

The Office Action rejects claims 22, 23, 27, 28, 37, 42, 47 and 48 under 35 U.S.C. §103(a) over U.S. Patent No. 4,301,252 to Baker in view of U.S. Patent No. 4,629,862 to Kitagawa; and rejects claims 36, 41, 43-46 and 49-53 under 35 U.S.C. §103(a) over Baker in view of Kitagawa, and further in view of one or more of U.S. Patent No. 5,192,506 to Kureshy, U.S. Patent No. 6,056,342 to Chan, U.S. Patent No. 5,257,128 to Diller, U.S. Patent No. 5,241,415 to Argentieri, U.S. Patent No. 5,552,321 to Focht, U.S. Patent No. 5,181,382 to Middlebrook and U.S. Patent No. 5,717,190 to Inoue. These rejections are respectfully traversed.

On page 3, the Office Action acknowledges that Baker does not disclose that the heater is a plate-type. The Office Action relies on Kitagawa as supplying the missing subject matter. The analysis of the Office Action fails for at least the following reasons. .

In Fig. 8, Kitagawa discloses that the inter-seat 80 (which the Office Action asserts corresponds to the recited top plate) directly contacts the heater 81. Accordingly, Kitagawa does not disclose, and would not have suggested, that the top plate is isolated from the upper plate of the laminate and no surface of the top plate directly contacts any surface of the upper plate.

Claim 27 is amended to recite that the upwardly water tank unit is isolated from the heater. As noted above, Kitagawa discloses that the inter-seat 80 directly contacts the heater 81. Thus, Kitagawa does not disclose that the upwardly water tank unit is isolated from the heater. Such that no part of the water reservoir is in direct contact with a top plate of the heater.

The remaining applied references are not applied in any manner that would overcome the above-identified shortfalls in the application of Baker and Kitagawa to the subject matter recited in claims 22 and 27.

During the November 10, 2009 personal interview, Applicant's representative presented the claim amendments to the Examiner and inquired whether the presented amendments would overcome the rejection. Examiner Henkel indicated that she understood the distinction that Applicants were trying to make. She believed that based on the distinction that Applicants were attempting to make that subject matter of the pending claims likely distinguished over the applied references. The Examiner, however, expressed concern that the proposed claim language was not specific enough to clarify the features that the Applicant intended to assert distinguish the subject matter of the pending claims. The Examiner proposed additional claim language to further define the term "isolated" to include, in the claims, that the indicated isolated portions of the recited device were, in fact, not in direct contact with each other. Applicants representative noted that such clarification should not be necessary in that the term isolated should be understood to infer that the parts that are isolated

from each other are "not in contact with" each other. In an effort, however, to further prosecution of this application toward allowance, Applicant further amends the pending claims over the amendments proposed during the November 10 personal interview, as recommended by the Examiner to expedite allowance of this application. Applicant understands that the Examiner will need to further review the proposed claim amendments and applied references upon receiving this formal response.

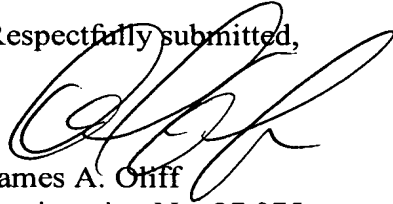
In view of the above, the combinations of applied references would not have suggested the combinations of features recited in independent claims 22 and 27. Thus, the combinations of applied references would not have suggested the combinations of features recited in dependent claims 23, 28, 37, 41 and 43-53 for at least the respective dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the prior art rejections of claims 22, 23, 27, 28, 37, 41 and 43-53 are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 22, 23, 27, 28, 37, 41 and 43-53 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:DAT/emd

Attachment:
Request for Continued Examination

Date: November 24, 2009

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